

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAVIER MARTINEZ,
Plaintiff,

v.

RALPH DIAZ, et al.,
Defendants.

No. 2:21-cv-0111-EFB P

ORDER

Plaintiff is a state prisoner incarcerated at Ironwood State Prison in Blythe, California. He is proceeding without counsel in an action brought under 42 U.S.C. § 1983. He claims that on January 23, 2020, at least sixteen Ironwood State Prison correctional officers discriminated against him and 32 other Hispanic inmates by conducting unlawful cell searches and strip searches in the “freezing cold.” ECF No. 1 at 7, 9. He further alleges that numerous defendants located in Sacramento County discriminated against him by rejecting the group administrative appeals that were subsequently filed and retaliated against him by banning group appeals altogether. *Id.* at 3-4, 8, 11.


The federal venue statute provides that a civil action “may be brought in (1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action

1 is situated, or (3) if there is no district in which an action may otherwise be brought as provided in
2 this action, any judicial district in which any defendant is subject to the court's personal
3 jurisdiction with respect to such action." 28 U.S.C. § 1391(b).

4 In this case, venue could properly lie in two of California's judicial districts, as Ironwood
5 State Prison, located in Riverside County, lies in the Central District, and Sacramento County lies
6 in the Eastern District. Because the root of plaintiff's potential claims arose at Ironwood State
7 Prison in Riverside County, the court finds that the interests of justice will be better served by
8 transferring this case to the Central District of California. *See* 28 U.S.C. § 1391(b).

9 Accordingly, IT IS ORDERED that this case is transferred to the Eastern Division of the
10 United States District Court for the Central District of California. *See* 28 U.S.C. § 1404(a).

11 Dated: February 18, 2021.

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13 EDMUND F. BRENNAN
14 UNITED STATES MAGISTRATE JUDGE
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